



RULE-MAKING ORDER

(RCW 34.05.360)

CR-103 (7/22/01)

Agency: Department of Ecology

A.O. # 04-04

☐ Permanent Rule

☐ Emergency Rule

☒ Expedited Rule Making

(1) Date of adoption: 5/3/04

(2) Purpose: Repeal of WAC 173-26-105 Review by ecology under Part III – Election by local governments of intent to develop pursuant to Part IV.

(3) Citation of existing rules affected by this order:

Repealed: WAC 173-26-105 Review by ecology under Part III – Election by local governments of intent to develop pursuant to Part IV.

Amended:

Suspended:

(4) Statutory authority for adoption: RCW 90.58.060 and RCW 90.58.200

Other Authority:

PERMANENT RULE ONLY (Including Expedited Rule Making)

Adopted under notice filed as WSR 04-05-105 on 2-18-04 (date).

Describe any changes other than editing from proposed to adopted version: No changes

EMERGENCY RULE ONLY

Under RCW 34.05.350 the agency for good cause finds:

- ☐ (a) That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.
- ☐ (b) That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this finding:

(5.3) Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?:

☐ Yes

☒ No

If Yes, explain:

(6) Effective date of rule:

Permanent Rules

☒ 31 days after filing

☐ Other (specify) _____*

Emergency Rules

☐ Immediately

☐ Later (specify) _____

*(If less than 31 days after filing, specific finding in 5.3 under RCW 34.05.380(3) is required)

Name (Type or Print)

Linda Hoffman

Signature

Linda Hoffman

Title

Director

Date

5/3/04

CODE REVISER USE ONLY

CODE REVISER'S OFFICE
STATE OF WASHINGTON
FILED

MAY 3 2004

TIME 2:50 PM

WSR 04-10-068

(COMPLETE REVERSE SIDE)

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.

The number of sections adopted in order to comply with:

Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	_____	Repealed	_____
Recently enacted state statutes:	New	_____	Amended	_____	Repealed	<u>1</u>

The number of sections adopted at the request of a nongovernmental entity:

New	_____	Amended	_____	Repealed	_____
-----	-------	---------	-------	----------	-------

The number of sections adopted in the agency's own initiative:

New	_____	Amended	_____	Repealed	_____
-----	-------	---------	-------	----------	-------

The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	_____	Amended	_____	Repealed	_____
-----	-------	---------	-------	----------	-------

The number of sections adopted using:

Negotiated rule making:	New	_____	Amended	_____	Repealed	_____
Pilot rule making:	New	_____	Amended	_____	Repealed	_____
Other alternative rule making:	New	_____	Amended	_____	Repealed	_____